

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

MEINEKE CAR CARE CENTERS, INC.,) CIVIL ACTION NO.
) 3:04CV547-MU
Plaintiff,)
)
vs.) ORDER
)
JAN & JASON, INC. and)
DEVENDRA BHAGWAKAR,)
)
Defendants.)

This matter was heard before the undersigned United States District Court Judge for the Western District of North Carolina on October 25, 2005, upon the motion and request of Plaintiff, Meineke Car Care Centers, Inc. ("Meineke"), for an order for Defendants Jan & Jason, Inc. and Devendra Bhagwakar ("Defendants") to appear and show cause why they should not be held in contempt of this Court's March 4, 2005 Default Judgment. Counsel for Meineke appeared in person and counsel for Defendants appeared telephonically. After affording counsel for Meineke and Defendants the opportunity to be heard, the Court hereby finds that Defendants have failed to comply with this Court's March 4, 2005 Default Judgment and that Defendants have failed to offer any justification for their non-compliance.

**NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND
DECREED**

that:

1. Defendants shall comply with the terms of this Court's March 4, 2005 Default Judgment in full by no later than 5:00 p.m., Eastern Daylight Savings Time, on Friday, October 28, 2005. The March 4, 2005 Default Judgment is incorporated by reference as if fully set forth herein.

2. In addition to any other actions Defendants must take to fully comply with the March 4, 2005 Default Judgment, Defendants must:

(a) Completely remove the signage attached to the pole that is displayed in front of the building located at 2344 Sagamore Parkway North, Lafayette, Indiana.

Merely spray painting or covering over the Meineke letters on the sign is insufficient to comply with this Court's Order.

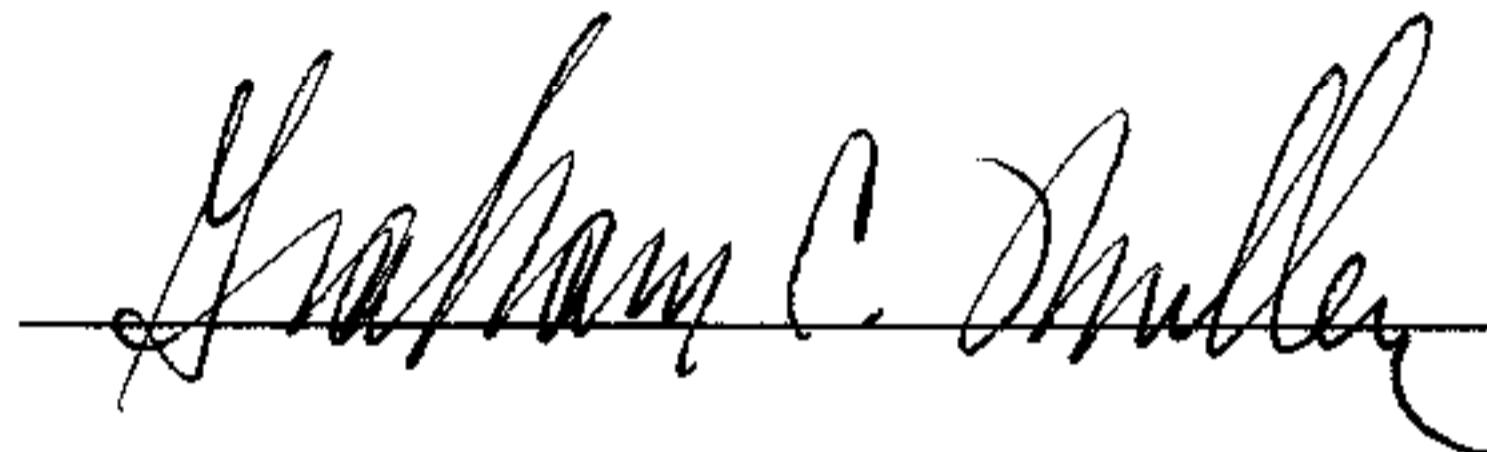
(b) Do everything necessary to release control of the telephone number, 765/423-4658, now being used by Defendants' business at the location of 2344 Sagamore Parkway North, Lafayette, Indiana, to Meineke and not seek to regain control of either that telephone number or the telephone number 765/423-2155.

(c) Cease and refrain from, for a period of one (1) year from the date of compliance with this Order, directly or indirectly (such as through corporations or other entities owned or controlled by them), owning a legal or beneficial interest in, managing, operating or consulting with: any business operating at the premises of former Shop No. 1180 located at 2344 Sagamore Parkway North, Lafayette, Indiana or within a radius of two (2) miles of the premises of former Shop No. 1180 which business repairs or replaces exhaust system components, brake system components, or shocks and struts.

3. Counsel for Meineke is to report the status of Defendants' compliance with the terms of this Order to this Court on Monday, October 31, 2005. If Defendants have not fully complied with the terms of this Order, this Court will issue a warrant for Defendant Bhagwakar's arrest and he will be brought to North Carolina for incarceration. If this Court determines that Defendants have not complied fully with this Order, this Court reserves the right to impose any additional sanctions it deems appropriate.

4. Meineke is hereby awarded the reasonable attorneys' fees and costs it has incurred in bringing its motion for contempt. Counsel for Meineke has presented an affidavit in support of Meineke's motion for recovery of the reasonable attorneys' fees and costs it has incurred in bringing this motion. This Court finds that the fees and costs Meineke is seeking are reasonable and this Court therefore orders that Meineke is entitled to a judgment against Defendants, jointly and severally, in the amount of \$865.80.

SO ORDERED, this 29 day of October, 2005.



Graham C. Mullen

Chief United States District Court
Judge